

CHAPTER 26C SONOMA COUNTY ZONING REGULATIONS

Article V. RRD CC Resources and Rural Development Coastal Combining District

Sec. 26C-50. Purpose.

To implement the provisions of the resources and rural development land use category of the general plan, namely to provide protection of lands needed for commercial timber production, geothermal production, aggregate resources production; lands needed for protection of watershed, fish and wildlife habitat, biotic resources, and for agricultural production activities that are not subject to all of the policies contained in the agricultural resources element of the general plan. The resources and rural development district is also intended to allow very low density residential development and recreational and visitor-serving uses where compatible with resource use and available public services. (Ord. No. 5318 § 1, 2001.)

Sec. 26C-51. Permitted uses, subject to site development and erosion control standards.

The following uses are permitted except within a sensitive area, riparian corridor, area of critical habitat, or a unique feature designated in the general plan or coastal plan in which case a use permit is required. Only those uses permitted in subsections (a) and (b) are considered principal permitted uses, except that additional dwellings beyond one single-family dwelling are not considered to be principal permitted uses. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the site development and erosion control standards.

(a) Principal uses:

- (1) On parcels of five (5) acres or less, raising, feeding, maintaining and breeding of not more than one of the following per twenty thousand (20,000) square feet of area:
 - a. Five (5) hogs or pigs;
 - b. One (1) horse, mule, cow, or steer;
 - c. Five (5) goats, sheep, or similar animals;
 - d. Fifty (50) chickens or similar fowl;
 - e. Fifty (50) ducks or geese or one hundred (100) rabbits or similar animals;
 - f. The above limitations may be modified by the director of the permit and resource management department upon submittal of a proposal statement which describes the extent of the domestic farming use and which is signed

by the owners of all property within three hundred feet (300') of the subject property. The Director of the Permit and Resource Management Department may require the applicant to obtain a use permit if the Director determines that the project might be detrimental to surrounding uses.

- g. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The Director of the Permit and Resource Management Department may require the applicant to obtain a use Permit when the Director determines that the project might be detrimental to surrounding uses.
- (2) On parcels exceeding five (5) acres: Raising, feeding, maintaining and breeding of horses, cattle, sheep, goats, and similar animals.
 - (3) Boarding and training of horses which are not owned by the occupant or owner of the property subject to issuance of a zoning permit, but not including shows, lessons, clinics or similar, related activities. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
 - (4) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Except as noted below, agricultural cultivation shall not be permitted in the following areas:
 - a. Within one hundred feet (100') from the top of the bank in the "Russian River Riparian Corridor."
 - b. Within fifty (50') from the top of the bank in designated "flatland riparian corridors."
 - c. Within twenty-five (25') from the top of the bank in designated "upland riparian corridors."Agricultural cultivation may be allowed in subsections a. through c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-52(b)(3).
 - (5) The indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits,

vegetables, hay, grain and similar food and fiber crops, provided that the greenhouse or similar structure for indoor growing is less than one thousand (1,000) square feet.

- (6) Incidental cleaning, grading, packing, polishing, sizing, or similar preparation of crops which are grown on the site, but not including agricultural processing.
- (7) Temporary or seasonal sales and promotion, and incidental storage, of crops or fuel wood which are grown on the site.
- (8) Temporary or seasonal sales and promotion of livestock which have been raised on the site.
- (9) Management of lands and forests for the use of commercial production and harvest of trees, including controlled burns. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
- (10) Removal of timber and fuel wood, including uses integrally related to growing, harvesting, and on-site processing of forest products including, but not limited to roads, log landings, log storage areas, and incidental logging camps. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
- (11) Timber management, including planting, raising, harvesting and incidental milling for non-commercial purposes of trees and logs for lumber or fuel woods, subject to requirements of California Department of Forestry and Fire Protection. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
- (12) Contractor equipment storage incidental to the on-site growing and harvesting of forest products, including parking, repairing and storage of equipment so used. Construction of permanent structures will be subject to Article XXIX (Design Review). Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
- (13) Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, and grazing, where these uses are incidental to the primary use. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act)

and local rules, regulations and ordinances adopted thereunder;

- (14) Beekeeping.

(b) Residential uses include the following:

- (1) Single family detached dwelling units in accordance with the residential density shown in the general plan land use element or permitted by a B combining district, whichever is more restrictive. In the event that more than one (1) such dwelling unit is placed on a single lot, the additional dwellings shall be clustered with the primary dwelling in order to minimize roads, drives, and utility extensions. The additional dwellings shall also be subject to design review approval. These unit(s) may be manufactured homes, but only one (1) may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may be filed and processed pursuant to Section 26C-331. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

- a. The manufactured home shall be at least twelve feet (12') in width except those that are owned and occupied on the effective date of the ordinance codified in this chapter;
- b. The manufactured home shall be skirted. All skirting shall be of a type approved by the state of California;
- c. The manufactured home shall have one patio awning with a minimum dimension of eight feet by twenty feet (8' x 20') and either a garage, carport, or awning with a minimum dimension of ten feet by twenty feet (10' x 20') for covered parking;
- d. All manufactured home sites shall be landscaped;
- e. The manufactured home shall be occupied by the owner of the property or a relative of the owner.
- (2) One (1) dwelling unit for full-time agricultural employees for each of the following agricultural uses conducted on the site:
- a. At least fifty (50) dairy cows, dairy sheep, or dairy goats,
- b. at least twenty (20) acres of grapes, apples, pears, prunes;

- c. at least twenty thousand (20,000) broilers, fifteen thousand (15,000) egg-layers, or three thousand (3,000) turkeys;
- d. At least one hundred (100) non-dairy sheep, goats, replacement heifers, beef cattle, or hogs;
- e. at least thirty (30) mature horses;
- f. wholesale nurseries with a minimum of either one (1) acre of propagating greenhouse or outdoor containers or three (3) acres of field-grown plant materials;
- g. Any other agricultural use which the Director of the Permit and Resource Management Department determines to be of the same approximate agricultural value and intensity as subsections (2)(a) through (f) above.

The dwelling unit(s) may be conventionally built homes or manufactured homes (with or without permanent foundations) provided that manufactured homes without a permanent foundation shall require a zoning permit approved in the manner described in subsection (b)(1) of this section. Agricultural employee units may be established within designated Class 4 water-scarce areas only where a hydro-geological report, as defined, certifies that the establishment and continuation of the additional residential use will not have significant adverse impacts on local or cumulative groundwater availability or yield.

Prior to issuance of zoning permits for the employee unit(s), the property owner shall place on file with the Permit and Resource Management Department an affidavit that the unit(s) will be used to house persons employed on the premises for agricultural purposes. Further, a covenant shall be recorded, in a form satisfactory to county counsel, which acknowledges that in the event that the agricultural use is terminated on the property, the agricultural employee dwelling unit shall become a nonconforming residential use.

- (3) Temporary farm worker camps consisting of up to four (4) self-contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the planning department, stating that the recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. The camp shall be subject to applicable septic regulations. The recreational vehicle or trailer shall be immediately removed from the site when it is no longer occupied by persons who are solely employed on the premises site;

(4) Seasonal farm worker housing which meets the standards set forth in Section 26C-320 (k). Seasonal farm worker housing shall also conform to public such public ng and fire safety criteria as may be established by resolution or ordinance of the board of supervisors.

(5) One caretaker unit for properties with seasonal farmworker housing, subject to the provisions of Section 26C-320(k)(8),

(6) One (1) guest house per lot.

(7) One (1) second dwelling unit per lot, pursuant to section 26C-325.1, provided that the water supply for the second dwelling unit is proposed to be located within a designated class 1 or 2 groundwater area. Second dwelling units may be established within designated class 3 water areas only where the domestic water source is located on the subject parcel, or a mutual water source is available; and groundwater yield is sufficient for the existing and proposed use, pursuant to section 7-12 of this code. Second dwelling units may be established within designated class 4 water areas only where a hydro-geologic report, as defined, certifies that the establishment and continuation of the second dwelling unit use will not have significant adverse impacts on local groundwater availability or yield. Approval of any such second dwelling unit is appealable to the coastal commission pursuant to public resources code section 30603. Second units are not allowed on land subject to a Williamson Act contract.

(c) Other uses, unless such uses are in conflict with agriculture or timber production:

(1) Geotechnical studies involving no grading or construction of new roads or pads.

(2) Home occupations. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(3) Small residential community care facility, except on land subject to a Williamson Act contract.

(4) Small family day care. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(5) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3, except on land subject to a Williamson Act contract;

(6) Occasional cultural events, provided that a written notice stating "The Sonoma County Permit and Resource Management Department will issue a zoning permit for a

cultural event (state nature and duration) on this property if a written appeal is not received within ten (10) days from the date of this notice.” is posted on the property at least ten (10) days prior to issuance of a zoning permit, and no appeal pursuant to Section 26C-331 has been received from any interested person, and provided that approval is secured from the following departments: sheriff, public health, fire services, building inspection and public works. In the event of an appeal, a hearing on the project shall be held pursuant to Section 26C-331. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(7) Pet fancier facilities, provided that a pet fancier license is obtained from the division of animal regulation and renewed annually. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(8) Craft sales and garage sales not exceeding two (2) sales days per calendar year provided that prior notification is given to the California Highway Patrol and that adequate off street parking is provided.

(9) Attached commercial telecommunication facilities subject to the applicable criteria set forth in Section 26C-325.7.

(10) Minor free-standing commercial telecommunication facilities, subject to the applicable criteria set forth in Section 26C-325.7, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one (1) elevation with dimensions for such facility, is mailed to adjacent property owners and posted on the subject property at least ten (10) days prior to issuance of the permit and provided that no appeal pursuant to Article 33 has been received from any interested person. In the event of an appeal, a hearing on the project shall be held pursuant to the above article. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(11) Noncommercial telecommunication facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial zoning permit for which notice is mailed to adjacent property owners and posted on the subject property at least ten (10) days prior to issuance of the permit and provided that no appeal pursuant to Article 33 has been received from any interested person. In the event of an appeal, a hearing on the project shall be held pursuant to the above article.

(12) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two (2) acres or more in

advance of a primary permitted use. On vacant parcels less than two acres, accessory buildings may only be constructed if less than one hundred twenty (120) square feet or as incidental to an existing agricultural use. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(13) Minor timberland conversions, subject to compliance with requirements of Section 26C-327.

(14) Ranch roads.

(15) Small wind energy systems, subject to the applicable criteria set forth in Section 26C-325.8. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(16) Non-commercial composting when the source materials are obtained primarily onsite and the product is used to amend soils onsite or on adjacent parcels owned or operated by same property owner.

(17) Non-commercial arts and crafts studios not involving retail or wholesale sales. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;

(18) Other nonresidential uses which in the opinion of the Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-51. (Ord. No. 5436 § 2(h), 2003; Ord. No. 5429 § 3(a), 2003; Ord. No. 5362 § 2(d), 2002; Ord. No. 5343 § 4, 2002; Ord. No. 5318 § 1, 2001.)

Sec. 26C-52. Uses requiring a use permit.

(a) Sensitive area uses.

(1) Permitted uses listed in Section 26C-51 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the general plan or coastal plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area or unique feature designated in the general plan or coastal plan.

(b) Resource management uses.

- (1) Temporary farm worker camps not permitted by Section 26C-51(b).
- (2) The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, fur-bearing animals, or animals such as veal calves, dairy cows, pigs, hogs, and the like, which are continuously confined in and around barns, corrals and similar areas for other than domestic purposes. Incidental processing and temporary or seasonal sales and promotion of such animals which are raised on site. This subsection shall not be interpreted so as to require a use permit for animals allowed by Section 26C-51(a).
- (3) Agricultural cultivation in the following areas for which a management plan has not been approved pursuant to Section 26C-51(a)(4):
 - a. One hundred feet (100') from the top of the bank in the "Russian River Riparian Corridor."
 - b. Within fifty feet (50') from the top of the bank in designated "flatland riparian corridors."
 - c. Within twenty-five feet (25') from the top of the bank in designated "upland riparian corridors."
- (4) Indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops in greenhouses or similar structures of one thousand (1,000) square feet or more.
- (5) Processing of any agricultural product of a type grown or produced on site or in the immediate area, storage of agricultural products grown or processed on site, and bottling or canning of any agricultural product grown or processed on site.
- (6) Livestock feed yards, animal sales yards.
- (7) Commercial aquaculture, provided that, at a minimum, the use does not adversely affect biotic resources and does not take place on prime soils.
- (8) Commercial wood yards, including wood splitting and sales of off-site fuel woods except such uses are not permitted on land subject to a Williamson Act Contract,
- (9) Contractor equipment storage for off-site growing and harvesting of forest products, including packing, repairing and storage of equipment so used. Construction of permanent structures will be subject to Article XXIX (Design Review). Such uses are not permitted on land subject to a Williamson Act Contract.
- (10) Commercial mushroom farming.

(11) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards, which serve agricultural production in the immediate area. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(12) Lumber, planing, and logging mills, mill ponds and associated uses. Such uses are not permitted on land subject to a Williamson Act contract.

(13) The development of natural resources with appurtenant structures, including exploration and development of geothermal resources, oil and gas wells, and biomass energy projects. Geothermal energy wells, pipelines, transmission facilities, and associated grading and construction, when conducted within the primary KGRA. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

Hardrock quarry operations may be permitted only if they meet the criteria below:

- a. The operation is consistent with the purpose(s) of the resources and rural development district.
- b. The operation involves five (5) acres of land or less.
- c. The operation results in annual production of five thousand (5,000) cubic yards or less.
- d. The quarry does not include crushing, screening, or batching operations.
- e. The operation is subject to payment of fees and other mitigation measures as may be found consistent with the aggregate resources management plan.
- f. The operation must have an approved reclamation plan.
- g. The operation is located at least four (4) miles from the nearest approved source of aggregate materials.
- h. The operation is not located on land subject to a Williamson Act contract.

Other aggregate mining operations are not permitted unless excepted by Section 26A-05-010 of the Sonoma County Code.

(14) One manufactured home for the housing of full-time employees of resource related uses conducted on the site. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the

Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(15) Seasonal farm worker housing that does not meet the the road access, occupancy or setback standards of Section 26C-320(k).

(16) Year-round and extended seasonal farm worker housing that does not meet the the road access, occupancy limits, parcel size or setback standards of Section 26C-320(o).

(c) Other uses, unless such uses are in conflict with agriculture or timber production.

(1) Game preserves and refuges and hunting clubs, however, any such use on lands subject to a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations.

(2) Geotechnical studies which involve grading or construction of open roads or pads.

(3) Home occupations with one (1) nonresident employee, but which otherwise meet the definition of home occupation in Section 26C-12. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;

(4) Noncommercial clubs and lodges, golf courses, and driving ranges, but not including miniature golf courses, except such uses are not permitted on land subject to a Williamson Act contract;

(5) Public schools; private nursery, primary and secondary schools; places of religious worship; and places of public or community assembly, all subject, at a minimum, to the criteria of general plan Policy LU-6e, except such uses are not permitted on land subject to a Williamson Act contract;

(6) Commercial and industrial uses permitted under Section 26C-51 which involve significant quantities (over 100 kg/month) of hazardous materials as defined by Title 22, CAC. Such uses are not permitted on land subject to a Williamson Act contract.

(7) Private landing strips. On land subject to a Williamson Act Contract, such use shall be limited to that necessary for aircraft dedicated to aerial spraying and other agricultural purposes and not for private passenger aircraft for personal convenience and transportation,

(8) Cemeteries, mausoleums, columbariums, and crematoriums, except such uses are not permitted on land subject to a Williamson Act Contract,

(9) Minor public utility buildings and public service or utility uses (transmission,

distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, and transformer stations. Any such use on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder

(10) Fire and police stations and training centers, service yards and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2 t and which are not otherwise exempt by state law. Such facilities are not permitted on land subject to a Williamson Act Contract;

(11) Intermediate and major free-standing commercial telecommunication facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7. Any such use on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder

(12) Noncommercial telecommunication facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(13) Large residential community care facility, except on land subject to a Williamson Act Contract;

(14) Day care center, except on land subject to a Williamson Act Contract;.

(15) Bed and breakfast inn of five (5) or fewer rooms, per definition, subject to design review, Article XXIX (Landmarks Commission); and Article 24. No restaurant is permitted, food service is limited to breakfast served to inn guests only, and all public health requirements must be met. No accessory structures shall be used for rental occupancy. A bed and breakfast inn shall have an owner and/or operator in residence within the structure. Nonamplified music lawn parties, weddings or similar outdoor activities may be allowed where specifically included in the use permit. Such facilities are not permitted on land subject to a Williamson Act Contract;

(16) Application of clean dredge material or biosolids from wastewater treatment plants subject, at a minimum, to the criteria of General Plan Policies PF-2 s

(17) Commercial composting facilities incidental to the agricultural use, subject to Policy AR-4a of General Plan Agricultural Resources Element. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations.

(18) Craft sales and garage sales involving three (3) or four (4) sales days per year.

(19) Retail nurseries involving crops/plants which are not grown on the site, except on land subject to a Williamson Act Contract;.

- (20) Tasting rooms for agricultural products which are grown or processed on site.
- (21) Veterinary clinics for farm animals and livestock, but not for companion and exotic animals. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
- (22) Commercial stables not permitted under Section 26C-51(a)(3), riding academies, equestrian riding clubs, Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
- (23) Recreational vehicle parks, tent camps or campgrounds, lodging and other recreational or visitor serving uses which do not interfere or detract from the purposes of this district, except on land subject to a Williamson Act Contract;.
- (24) Guest ranches and country inns not exceeding thirty (30) units and which are not located within designated village commercial areas in the coastal plan nor on land subject to a Williamson Act contract and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:
- a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.
 - b. The number of overnight rooms plus the number of outside dining patrons cannot exceed thirty (30).
 - c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection b. above. Guest ranch/inn proprietors may serve one (1) meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.
 - d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway 1.
 - e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.
 - f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.
 - g. Nonamplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(25) Agricultural farmstays, subject to the standards set forth in Section 26C- 325.9, Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations.

(26) Other nonresidential uses which in the opinion of the Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-52. (Ord. No. 5436 § 2(i), 2003; Ord. No. 5429 § 3, 2003; Ord. No. 5362 § 2(l), 2002; Ord. No. 5343 § 5, 2002; Ord. No. 5318 § 1, 2001.)

Sec. 26C-53. Permitted residential density and development criteria.

The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the general plan and coastal plan shall supersede the standards herein. Development shall comply with coastal plan policies.

(a) Density: Residential density shall be between twenty (20) and three hundred twenty (320) acres per dwelling unit as shown in the general plan land use element or permitted by a B combining district, whichever is more restrictive, provided that no more than four residential units shall be approved per parcel.

(b) Minimum lot size shall be six hundred forty (640) acres, unless a different area is permitted by a B combining district.

(c) Minimum lot width: The minimum average lot width within each lot is one hundred twenty-five feet (125').

(d) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen feet (16'). Commercial height limits are twenty-four feet (24').

(2) Bodega Bay Core Area residential: Sixteen foot (16') height limit except that in major developments up to fifteen percent (15%) of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen feet (16'). The Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of twenty-four (24') feet in accordance with subsection (7) below.

- (4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four feet (24').
- (5) East of Highway 1 and are not visible from designated scenic roads: Fifty feet (50').
- (6) Agricultural structures: Fifty feet (50'); however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.
- (7) Maximum height for telecommunication facilities is subject to the provisions of this article and Section 26C-325.7.
- (8) An increase in height for residential structures west of Highway 1, up to a maximum of twenty-four feet (24') feet, may be approved if the appropriate review body finds that the structure is no higher than sixteen feet (16') above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of thirty-five feet (35') may be considered if the appropriate review body finds that the structure is no higher than twenty-four feet (24') feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the coastal plan, for those properties listed, the requirements of Appendix B shall be followed.

- (9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair, and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to ten percent (10%) of floor area and not to exceed four hundred (400) square feet, shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

- (e) Maximum lot coverage:

- (1) On parcels of two acres in size or less: twenty percent (20%);

- (2) On parcels greater than two acres up to and including five acres in size: 18,000 SF or fifteen percent (15%), whichever is greater;
- (3) On parcels greater than five acres up to and including 20 acres in size: 30,000 SF or ten percent (10%), whichever is greater; and
- (4) On parcels greater than 20 acres in size: 85,000 SF or five percent (5%), whichever is greater.

Exceptions may be allowed by the Planning Director for commercial greenhouses, large animal operations, and buildings required for the farm operation to meet water quality or other environmental protection regulations.

(f) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

- (1) Front yard: Ten percent (10%) of the depth of the lot, but not more than one hundred feet (100') nor less than thirty feet (30').
- (2) Side yard: Ten percent (10%) of the width of the lot, but not more than fifty feet (50).
- (3) Rear yard: Fifty feet (50).
- (4) Watering troughs, feed troughs, accessory buildings used for the housing or maintenance of farm animals, and accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty (50) feet from the front property line, twenty feet (20') from any side or rear property line, and thirty feet (30') from any dwelling on the adjacent property.
- (5) No garage or carport opening facing the street shall be located less than twenty feet (20') from any exterior property line, except that where twenty-five percent (25%) or more of the lots on any one block or portion thereof in the same zoning district have been improved with garages or carports, the required front yard may be reduced to a depth equal to the average of the front yards of the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet (10'). Further the Director of the Permit and Resource Management Department may require a use permit if the reduction might result in a traffic hazard.
- (6) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two feet (2') into any required yard. The maximum length of the projections shall not occupy more than one-third of the total length of the wall on which it is located. Uncovered porches, fire escapes, or landing places may extend six feet (6') into any required front or rear yard and three feet (3') into any required side yard.

(7) Where twenty-five percent (25%) or more of the lots on any one block or portion thereof in the same zoning district have been improved with buildings, the required front yard may be reduced to a depth equal to the average of the front yards of the improved lots, subject to the limitations of Section 26C-53(f)(5).

(8) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided that such building(s) shall not occupy more than thirty percent (30%) of the width of any rear yard. Such accessory buildings shall not be located closer than ten feet (10') to the main buildings on adjacent lots. Notwithstanding the foregoing, swimming pools may occupy more than thirty percent (30%) of the width of any rear yard. A minimum of three feet (3') shall be maintained between the wall of a pool and the rear and side property lines, and accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions. Additional setbacks may be required under the California Building Code.

(9) Additional setbacks may be required within sensitive areas, riparian corridors, scenic corridors, critical habitat areas, or unique features as designated in the general plan or coastal plan.

(g) Parking requirements:

(1) On-site parking shall be provided for a minimum of two (2) vehicles for each dwelling unit.

(2) On-site parking shall be screened from view from public roadways by natural vegetation, landscaping, natural topography, fencing or structures.

(3) On-site parking shall not block emergency vehicle access ways or turnarounds.

(4) Any other use shall provide parking in accordance with the standards in Article XXXI.

(h) Environmental and hazards requirements.

(1) Environmental protection and hazards recommendations contained in the coastal plan, Chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "potentially sensitive," "conservation," "sanctuary preservation," and "geologically unstable" areas on open space and hazards maps.

(2) All development shall be subject to site development and erosion control standards. These standards are to be used as the minimum standards for development in the coastal zone. Where both these standards and the policies of the coastal plan apply to a development, the policies of the coastal plan shall take precedence over these standards. Where the policies and standards of the general plan are more restrictive

than those of the coastal plan or any of the standards below, the general plan standards and policies shall apply. Development shall comply with coastal plan policies.

(3) No development or grading shall occur on slopes greater than thirty percent (30%), unless no feasible alternate site is available.

(i) Access dedication.

(1) Each permit must conform to Chapter V access provisions of the coastal plan. An offer of dedication is required if an access way is shown on the property in the access plan. Consult Chapter V in the coastal plan for a description of each access way and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no access way is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five feet (25') wide access way should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five feet (25') inland. In no case shall the dedicated easement be required to be closer than ten feet (10') to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen feet (15') in width with slope easements plus the additional area necessary for the placements of improvements.

(j) Design requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the coastal administrative manual, or subsequently approved area design guidelines.

(2) Design review to be required in accordance with the procedures described on the review process final view rating maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an

overhead line. (Ord. No. 5318 § 1, 2001.)